

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANTHONY DUANE WILSON,

Plaintiff,

v.

WORLD WRESTLING
ENTERTAINMENT, *et al.*,

Defendants.

Civil Action No. 4:24-cv-1501

Judge Benita Y. Pearson

Magistrate Judge Amanda M. Knapp

(Jury Demand Endorsed Hereon)

**DEFENDANT WORLD WRESTLING ENTERTAINMENT, LLC'S
ANSWER TO PLAINTIFF'S AMENDED COMPLAINT**

Defendant World Wrestling Entertainment, LLC (“WWE”), by and through undersigned counsel, contingently files this answer to Plaintiff Wilson’s Amended Complaint (ECF No. 19)¹ and states as follows:

1) WWE denies the allegations in the first paragraph of Wilson’s Amended Complaint, which is reproduced below:

World Wrestling Entertainment, All Elite Wrestling, it's contractors and employees have on multiple dates used my creative works without permission, Infringing on my wrestling gimmicks, names, slogans and likeness. I was starting a wrestling company and asked the (Elite) members of the Bulletclub at the time, to join me in my venture of starting my company and check

¹ WWE has simultaneously moved to dismiss this Complaint but is filing this answer in accordance with Judge Pearson’s standard Case Management Conference Scheduling Order. *See* <https://www.ohnd.uscourts.gov/sites/ohnd/files/1%20CMC%20Scheduling%20Order%20Rev.%2010-31-2022.pdf>.

out my blogs. Which I knew put my creative works in a protected form. They stole plans from me and my social media pages and cut me out without giving credit or a promotion I'm entitled to as the original founder and creator.

2) WWE denies the allegations in the second paragraph of Wilson's

Amended Complaint, which is reproduced below:

They stole my KOR ranking system which no other company used. They stole the Initials for the company AEW from my blogs. I wanted to use ADW, Adrenaline Wrestling, but my market research showed the name and acronym were taken. I had several acronyms linking to my initials and they used the one closest to their nefarious needs. I've tried constantly to settle these matters out of court each attempt being met with televised infringements, inside jokes and claims of credit. Once instance I tried to contact AEW and they willfully and maliciously infringed another of my characters and mask designs for Phantom Infinity on 11/30/21 basically making fun of me and my creative works showing they are on TV and can do as they please and lie about it and its gospel to the industries fans.

3) WWE denies the allegations in the third paragraph of Wilson's

Amended Complaint, which is reproduced below:

Another attempt, AEW management conspired with WWE to steal and use my demon tar (black mist) storylines and concepts both WWE and AEW are using derivatives of it for characters and storylines. During AEWs early days I stayed in contact via private blogs and this privacy was used against me. I place notes for myself to reference to later in office because I create and work at lightspeed.

4) WWE denies the allegations in the fourth paragraph of Wilson's

Amended Complaint, which is reproduced below:

AEW had a rigged contest for a character called the

Librarian. Another hint of stalking my blogs and social media pages because I often shared pictures from my local libraries. I displayed notes of a character explaining it as a dark Mr. Rogers styled character, like a children's TV character with darker implications. AEW and WWE conspired again to steal multiple concepts and smashed them together using them to create both sides of the fiend character. All elements of this were stolen from myself and my pages. The dual personality. The trade secrets to my paranormal monster characters which I've spent almost 30 years of my life protecting and perfecting. This was all done willfully and maliciously to damage my name and reputation, misleading fans and cause myself emotional stress. One of the women I wished to work with in WWE was also used to aid in these infringing acts, using storylines involving her with my creature characters.

5) WWE denies the allegations in the fifth paragraph of Wilson's

Amended Complaint, which is reproduced below:

Multiple characters in WWE now wear chain attire, infringly similar to my own personal and professional looks.

6) WWE denies the allegations in the sixth paragraph of Wilson's

Amended Complaint, which is reproduced below:

AEW during another attempt at reconciliation from myself to settle these matters stole and infringed on my wrestling league concept. Similar to the NFL state teams system working under one banner calling it the Forbidden Door, and the owner Tony Khan, claiming full credit for the idea in the media directly to insult me. Though the initial theft was at the hands of the members of the Elite. Tyson Smish aka Kenny Omega, Matthew Massie and Nicholas Massie aka Matthew and Nicholas Jackson and Cody Runnels aka Cody Rhodes, who I first contacted via social media.

7) WWE denies the allegations in the seventh paragraph of Wilson's

Amended Complaint, which is reproduced below:

Mr. Khan knew these concepts were stolen by these talents and continued to push me out, steal and infringe my creative works willfully and maliciously. Having every chance under the sun to make it right and settle these matters maturely and professionally and chose to subliminally insult me via storylines, social media posts and other means. There are so many instances of infringing works its hard for me to keep track and work while maintaining a personal life, create and work for myself. I fee AEW and WWE conspired to keep me out of work due to the fear of the truth coming out publicly and the threat of my creative works eclipsing their own. Even more so knowing all my plans to make money and the wrestling fans consider these bootlegs priceless. These two companies are committed to the Iles they've sown. When I first mentioned a lawsuit, my social media pages were attacked by being reported continuously in an attempt to remove evidence.

8) WWE denies the allegations in the eighth paragraph of Wilson's

Amended Complaint, which is reproduced below:

My personal computer was hacked and private files and concepts were stolen, which appeared on both companies shows. The hacker leaving files that were all wrestling affiliated so I knew they had been there. I feel WWE has also hacked into my social media accounts to skim creative works, design styles and other creative works. Such as the WWE 24/7 title which is a poor mans excuse for the FFR championship, which is a title defended 24/7.

9) WWE denies the allegations in the ninth paragraph of Wilson's

Amended Complaint, which is reproduced below:

I spent years sending freelance work to WWE and Paul Levesque to build a creative name for myself and established a working relationship dating back to Wrestlemania 32 weekend. Mr. Levesque received a stellar explosion of private blog messages from myself seeking employment in several aspects of this wrestling industry. He was a childhood hero and I was seeking a powerful business relationship and a friend. Instead, Mr. Levesque and the WWE chose to take all the free work I would give and when I

attempted in person visits to the Performance Center after 2 years of free writing, they attempted to swat me. I feel this was an attempt to scare me away and take my life so they could use my creative works without issue. WWE has falsified police reports on 3 separate dates against me. After this I attempted to set sail on my own. This was met with the initial AEW theft and the theft of my creature creations. These companies are known for unfair business bullying and very dark deeds. I've learned this firsthand.

10) WWE denies the allegations in the tenth paragraph of Wilson's

Amended Complaint, which is reproduced below:

WWE has stolen the EST slogan from my blogs. Examples of how I use it, ScariEST StrangEST StrongEST. This is one of many slogans I use to tie myself to my hometown area such as (2 Coins) (Weirred) and (Thee EST), all derived from being from Ohio and the east coast. I call these Dyslexic art, a style of writing slogans and other things. Multiple stolen storylines (spots) in wrestling known as mini stories and in ring moments. Example, Phantom Tagging with a fan. When WWE stopped receiving free work they started stealing from my treasure chest of private works. This situation has been like being in a abusive relationship. They play nice till they get what they want and then they commit the same and worse acts again and again. Since 2013 WWE has built itself off my creative vision handing out credit everywhere but at my door which is where is all comes from and belongs. Using my world expansion concepts to build the NXT brand. Both AEW and WWE are stealing concepts from my Fight Forever Riot brand. AEW has stolen concepts for their video game mode Stadium Stampede. WWE has stolen my Underground concept for RAW Underground. Both companies have stolen concepts and created countless derivatives of my creative works. They watch my pages, posts and blogs and anything they like they steal rather than hire me or pay me for these works and yet I still continue to help new talent creatively because this Industry is my life and livelihood.

11) WWE denies the allegations in the eleventh paragraph of Wilson's

Amended Complaint, which is reproduced below:

WWE stole a derivative of my creation Phantom Crystals for a character on NXT. WWE maliciously stole ownership of one of my many own ring names, Tony D and uses it weekly. One of my special moments is creating rain Inside the arena, they attempt to wrestle in the rain to squeak by copyright claims and these two companies help other wrestling companies such as NWA, NJPW, TNA and several other companies with Infringing creations. WWE stole the concept of a multi-day event from my main War Machine (The Tower of Dis) and now Wrestlemania is 2 days long which is a direct infringement to my creative work. I've made it very clear I sell these creations; they are for rent and i am for hire but why hire a broke independent wrestler when you can steal as you please thinking you'll get away with it. WWE infringed the Tower of Dis again during covid after I attempted to settle these matters professionally and used the Fight to the Top concept for a Money in the Bank paperview/premium live event. And the premium live event Is another concept stolen from my works. WWE catalogs their content and sells it monthly and weekly so each month they collect funds for stolen works. I've never received royalties from these companies for their infringing works. I own everything I create and very few people can actually create new content. I'm sure I'm missing a long list of infringing works from both WWE and AEW but these arguments are supported by U.S. laws and Federal State and Common Law.

12) The twelfth paragraph of the Complaint only recites “17 U.S.C. ss506(a)” to which no response is required. WWE denies Wilson is entitled to any relief.

13) The thirteenth paragraph of the Complaint only recites “15 U.S.C ss1125(a)” to which no response is required. WWE denies Wilson is entitled to any relief.

14) The fourteenth paragraph of the Complaint only recites “10 U.S.C ss2737 property damages” to which no response is required. WWE denies Wilson

is entitled to any relief.

15) The fifteenth paragraph of the Complaint only recites “18 U.S.C. ss1832 theft of trade secrets” to which no response is required. WWE denies Wilson is entitled to any relief.

16) The sixteenth paragraph of the Complaint only recites “18 U.S.C. ss1341 frauds and swindles” to which no response is required. WWE denies Wilson is entitled to any relief.

17) The seventeenth paragraph of the Complaint only recites “18 U.S.C. ss1030 hacking computers and phones” to which no response is required. WWE denies Wilson is entitled to any relief.

18) The eighteenth paragraph of the Complaint only recites “18 U.S.C. ss371 conspiracy to commit offense” to which no response is required. WWE denies Wilson is entitled to any relief.

19) The nineteenth paragraph of the Complaint only recites “18 U.S.C. ss1038 false information and hoaxes” to which no response is required. WWE denies Wilson is entitled to any relief.

20) WWE denies the allegations in the twentieth paragraph of Wilson’s Amended Complaint, which is reproduced below:

These infringements and malicious acts from both companies and parties involved have damaged my reputation, creative works on a international scale, as well as my personal life, well-being and state of mind. I have attempted even in the filing of this lawsuit to

keep these matters as private as possible to protect myself and the wrestling industry, which I feel these companies have used against me. Some of these works are not for sale and qualify as trade secrets. WWE copies my hair styles, they use my title over the back pose, all of these creative works, names, images and likenesses are stolen derivatives of my own creative works which are protected via common laws, federal laws and state laws. The moment you create something it belongs to you. I will never see the end to the damages WWE and AEW have willfully and maliciously done. So many of my first of their kind moments and characters are damaged by them purposely claiming credit and running these things into the ground just to ruin the splash of new content. WWE has stolen the concept to cinematic matches used during covid, yet another trade secret and infringing concept. These companies have made billions from my stolen works and answer all mature professional attempts to handle these matters with more thefts, inside jokes and damages. Being made fun of on TV on a weekly basis with no way to defend the truth or myself. I have given my life to the wrestling industry. Many of these storylines such as the Crossroads of Totality Celestial booking and irreplaceable and these things were done to dampen my Impact on the industry, damage my career and waste my time.

21) WWE denies the allegations in the twenty-first paragraph of Wilson's Amended Complaint, which is reproduced below:

AEW stole the concept of the championship for North Atlantic then stole the concept for the international championship from my blogs and creative works, body of water naming style. These companies even used my blogs for recruitment because my knowledge of this business is unmatched. WWE has stolen and infringed several of my own created wrestling moves. Such as the Demons Whisper which was never before seen. Orions Rest, Scorpion Suplex known as Truth or Consequences since the theft in 2013 which is where the company started following me creatively from the shadows, silently following my works. I feel this is also where the (Demon) character they use for Finn Balor was derived from. They got a taste of my work and knew exactly who I was when I reached out to force needed change and chase my own dreams and career which is why they were so close to many concepts I'd been

working on.

22) WWE denies the allegations in the twenty-second paragraph of Wilson's Amended Complaint, which is reproduced below:

WWE stole and infringes on my wrestling based slogans, examples, My Island, Burn It Down, The Fiend, Tony D, The Demon legion. These have been stolen concepts for shirts, slogans and storylines. This includes weekly shows, social media, video game advertisements and more.

23) WWE denies that Wilson is entitled to any relief, and denies the allegations in the twenty-third paragraph of Wilson's Amended Complaint, which is reproduced below:

Return All Ships and Plunder.

AFFIRMATIVE DEFENSES

1. Wilson's Amended Complaint, in whole or in part, fails to state a claim upon which relief may be granted.

2. Wilson's Amended Complaint, in whole or in part, fails to comply with Fed. R. Civ. P. 8 because it fails to provide a "short and plain statement of the claim showing that the pleader is entitled to relief."

3. Wilson's Amended Complaint, in whole or in part, fails for lack of standing.

4. Wilson's Amended Complaint, in whole or in part, is barred by the applicable statute(s) of limitations.

5. To the extent Wilson alleges a claim for copyright infringement, Wilson lacks standing to bring such a claim because Wilson does not own any enforceable copyright interest in any allegedly infringed work.

6. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred because Wilson failed to obtain a copyright registration (or refusal of such application for registration) for any allegedly infringed work prior to filing the present action.

7. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred to the extent the underlying work is not an original work of authorship and/or is not otherwise entitled to copyright protection.

8. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred because of WWE's independent development of any allegedly infringing work.

9. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred under the doctrines of merger and scenes a faire.

10. To the extent Wilson alleges a claim for copyright infringement, such a claim is barred by fair use.

11. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred because Wilson lacks standing to bring such a claim.

12. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred because Wilson does not own a trademark or other enforceable right.

13. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred because Wilson does not allege the existence of a valid trademark or other enforceable right.

14. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred because there is no likelihood of confusion.

15. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred by fair use.

16. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred by the First Amendment.

17. To the extent Wilson alleges a claim for trademark infringement and/or unfair competition, such a claim is barred by abandonment.

18. Wilson's Amended Complaint, in whole or in part, is barred because Wilson's name, likeness, and/or persona, wrestling gimmicks, and/or slogans are unenforceable and have no commercial value and/or were not used by WWE for a commercial purpose or for commercial profit.

19. To the extent Wilson alleges a claim for fraud, it is barred because he failed to plead it with specificity as required by Fed. R. Civ. P. 9.

20. To the extent Wilson alleges an entitlement to special damages, such a claim is barred by the failure to plead with particularity as required by Fed. R. Civ. P. 9.

21. Wilson's claims are barred, in whole or in part, because to the extent Wilson has suffered any damages, those damages were caused by his own actions or inactions, or the actions or inactions of third parties, or his failure to mitigate any damages.

22. Wilson's claims are barred, in whole or in part, by the doctrines of waiver, laches, estoppel, and/or unclean hands.

23. Wilson's claims are barred, in whole or in part, by lack of consideration.

24. WWE reserves the right to amend this Answer and to raise any additional affirmative defenses not pleaded herein should it discover that such defenses are appropriate and/or available.

WHEREFORE, having fully answered and stated affirmative defenses, WWE prays for judgment in its favor, for an award of attorneys' fees and costs, and for such other further relief as this Court deems just and proper.

DATE: May 3, 2024

Respectfully submitted,

WORLD WRESTLING
ENTERTAINMENT, INC.

/s/ Justin A. Markota

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JURY DEMAND

Defendant WWE hereby demands a jury pursuant to Fed. R. Civ. P. 38.

/s/ Justin A. Markota

Justin A. Markota (0092182)

CERTIFICATE OF SERVICE

I certify that on May 3rd, 2024, I filed the foregoing electronically. All parties will receive notice of this filing through the Court's electronic filing system and may access this filing through the Court's system. Pursuant to Fed. R. Civ. P. 5(b)(2), a copy of the foregoing will also be served upon Plaintiff via regular U.S. mail at:

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/s/ Justin A. Markota
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